4.3 BIOLOGICAL RESOURCES

4.3.1 Introduction

This section describes the existing biological setting within the project site, summarizes applicable regulations, and evaluates the potential effects that the proposed Roseville Hotel and Conference Center Project (proposed project) could have on biological resources.

Information referenced to prepare this section includes, in part:

- *City of Roseville General Plan 2025*, as amended February 2013 (City of Roseville 2013)
- *North Central Roseville Specific Plan*, as amended December 2013 (City of Roseville 2013)
- *North Central Roseville Specific Plan Environmental Impact Report* (City of Roseville 1989)
- *Biological Survey Report for the Roseville Hotel and Conference Center*, Roseville, Placer County, California, Dudek 2014 (included as Appendix D).

The documents listed above are available for review during normal business hours (Monday through Friday 8 a.m. to 5 p.m.) at the City of Roseville Permit Center, 311 Vernon Street, Roseville, California 95678.

No comments pertaining to biological resources were received in response to the Notice of Preparation (NOP). A copy of the NOP and comment letters received in response to the NOP is included in Appendix A.

4.3.2 Environmental Setting

The approximately 11-acre project site is generally flat with elevations on the site ranging from 195–205 feet above mean sea level (amsl). The site is a previously graded vacant lot with a mound of sparsely vegetated dirt near the center of the site. The site is generally bounded by development on all sides and no trees are present on the site. The property was rough graded in 1989, at which time on-site wetlands were filled in accordance with a Clean Water Act Section 404 Permit issued for the property and wetland inoculate was removed pursuant to approved regulatory permits for off-site mitigation. Since the initial vegetation removal, the parcel has been disked on an as-needed basis.

The Highland Reserve Open Space Preserve is located adjacent to the project site and the South Branch Pleasant of Grove Creek runs approximately 75 feet to the southeast of the project boundary.

Soils

The soils on the site are mapped as Exchequer very stony loam, 2–15% slopes. The Exchequer very stony loam soil type is 11-15 inches to lithic bedrock (restrictive soil layer). These soils are very stony and typically are very shallow and underlain by andesitic breccia (hard restrictive layer). Normally this soil type would indicate the potential for seasonal wetlands and/or vernal pools, but the project area was previously disturbed and all wetlands on the property were legally filled pursuant to authorization received in July 1989 by the U.S. Army Corps of Engineers (USACOE).

Vegetation

The approximately 11-acre project site consists of primarily nonnative grassland habitat, and contains little native vegetation. The property was previously graded and disked in 1989 and has been actively disked and managed since then to avoid reestablishment of wetlands. A mix of an erosion control seed mix and natural recruitment of nonnative grasses and annual plants dominates the site. The nonnative grassland is dominated by tarweed (*Holocarpha* virgate), wild oat (*Avena fatua*) and soft chess (*Bromus hordeaceus*) with other common nonnative species scattered throughout the property.

No trees are present on the project site. However, there is mature riparian habitat in the open space preserve and within the Roseville Galleria parking lot adjacent to the southeastern boundary of the property that could potentially support nesting birds during the breeding (nesting) season. There is also a single willow tree nearby, off site in the State Route (SR) 65 right-of-way north of the project site.

Representative photos of the property from various photo points are included in Appendix D.

The plant species observed on the project site are listed in Table 4.3-1 below.

Table 4.3-1
Flora Observed on the Project Site

Common Name	Scientific Name
wild oat*	*Avena fatua*
coyote brush	*Baccharis pilularis*
black mustard*	*Brassica nigra*
ripgut brome*	*Bromus diandrus*
Italian thistle*	*Carduus pycnocephalus*
spikeweed	*Centromadia fitchii*
long beak storksbill*	*Erodium botrys*
soft chess	*Bromus hordeaceus*
Italian rye grass*	*Festuca perennis*

Table 4.3-1
Flora Observed on the Project Site

Common Name	Scientific Name
yellowflower tarweed	*Holocarpha virgata*
rabbitsfoot grass	*Polypogon monspeliensis*
wild radish	*Raphanus sativa*
dandelion*	*Taraxacum officinale*
Medusahead grass	*Taeniatherum caput-medusae*

*non-native species
Source: See Appendix D.

Common Wildlife

The animal species observed or likely to occur on the project site are common species that are adapted to life in proximity to human activity. Bird species that were observed onsite were those that typically occur in urban and suburban settings in association with disturbed and managed vegetation. One red-shouldered hawk (*Buteo lineatus*) was seen perched in a conifer in the open space preserve near the Roseville Galleria parking lot. Bird species that were observed during the field survey are listed in Table 4.3-2, below. No special-status bird species were observed during the survey; however, all native bird species are protected under the state Fish and Game Code and the federal Migratory Bird Treaty Act. Although no nests were observed on the site survey, there is the potential for nesting native birds to be present in the trees along the southeastern boundary of the site in the open space preserve and for ground nesting birds such as western meadowlark (*Sturnella neglecta*) to be present inside the project boundaries.

Several black-tailed jackrabbits (*Lepus californicus*) were observed on the project site, and evidence of other burrowing rodents was present throughout the project site. Scat from California mule deer (*Odocoileus hemionus*) was observed sporadically on the project site. In general, common wildlife species adapted to suburban/urban life are expected to utilize the site. Examples of potential common wildlife that may use the property include striped skunk (*Mephitis mephitis*), raccoon (*Procyon lotor*), Virginia opossum (*Dipdelphis virginiana*), and coyote (*Canis latrans*). Like the bird species, these mammals are adapted to life in an urban and suburban setting and are therefore relatively tolerant of human activity.

During the November 7, 2013 field survey, a total of eight animal species were observed within the boundaries of the project site and are listed below in Table 4.3-2.

Table 4.3-2
Fauna Observed on the Project Site

Common Name	Scientific Name
western scrub-jay	*Aphelocoma californica*
red-shouldered hawk (in adjacent open space preserve)	*Buteo lineatus*
Coyote (scat)	*Canis latrans*
northern flicker (flyover)	*Colaptes auratus*
rock pigeon	*Columbia livia*
American Crow	*Corvus brachyrhynchos*
black-tailed jackrabbit	*Lepus californicus*
California mule deer (scat)	*Odocoileus hemionus*
black phoebe	*Sayornis nigricans*
western meadowlark	*Sturnella neglecta*

Source: See Appendix D.

Special-Status Flora

Eleven special-status plant species are known to occur in the lower elevations of Placer County, but all require specific habitat types (e.g., perennial marsh, vernal pools, etc.) and soil types (e.g., gabbro soils) in order to occur. Although there are occurrences of many of these species within five miles of the project site, soils and/or habitat for all eleven of these native species are not present on the project site. In addition, because of its disturbed nature, previously authorized fill of seasonal wetland and vernal pool habitat, and the active maintenance activities (disking, mowing, etc.) that are ongoing on the site, no special- status plant species are expected to occur on the site and none were observed during the field survey.

Special-Status Fauna

The results of the California Natural Diversity Data Base (CNDDB) search, United States Fish and Wildlife Service (USFWS) list, and other literature review resulted in the identification of twenty three special-status animal species known to occur in the lower elevations of Placer County and surrounding areas and are discussed in detail in Appendix D. Sixteen of these species are known to occur in the area but are dependent on specialized emergent wetland habitat types, vernal pools, marshes, and elderberry shrubs that do not occur on or near the project site, and were therefore eliminated from further investigation. Although the South Branch of Pleasant Grove creek is adjacent to the project site, it does not support special-status fish species such as steelhead or trout due to lack of suitable habitat and the intermittent nature of the creek. Species removed from consideration included vernal pool adrenid bee (*Andrena subpasta*), Conservancy fairy shrimp (*Branchinecta conservatio*), vernal pool fairy shrimp (*Branchinecta lynchi)*, vernal pool tadpole shrimp (*Lepidurus packardi*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), California linderiella (*Linderiella occidentalis*), Ricksecker's water

scavenger beetle (*Hydrochara rickseckeri*), Lahontan cutthroat trout (*Oncorhynchus clarkia henshawi*), western spadefoot (*Spea hammondii*), California tiger salamander (*Ambystoma californiense*), giant gartersnake (*Thamnophis gigas*), western pond turtle (*Emys marmorata*), great blue heron (*Ardea herodias*), California black rail (*Laterallus jamaicensis coturniculus*), osprey (*Pandion haliaetus*) and tricolored blackbird (*Agelaius tricolor*).

Townsend's big-eared bat (*Corynorhinus townsendii*) is the only special-status (California species of special concern) mammal that has been documented as occurring in the immediate vicinity of the project site. However, this species is not expected to occur on site due to the absence of man-made structures and caves necessary for roosting. The adjacent Hyatt hotel and parking structures could potentially provide roosting habitat for this species, but due to the high degree of human disturbance in these areas, roosting in these structures is unlikely. The construction of the proposed bridge could provide potential habitat depending on exact design specifications.

Of the six remaining special-status animal species known to occur in the region, three are raptors and include Swainson's hawk (*Buteo* swainsoni), white-tailed kite (*Elanus leucurus*), and burrowing owl (*Athene cunicularia*). While the large trees that border the open space preserve and SR 65 adjacent to the project site represent suitable nesting habitat for Swainson's hawk and white-tailed kite, the site's isolation from other native habitat areas, relatively small size, highly disturbed nature, and urban surrounding result in a low potential for these species to regularly and successfully forage on or near the project site. Swainson's hawks and white-tailed kites generally require much larger foraging areas and less human disturbance than are present on the project site. In addition, because the site is regularly mowed and disked, it is highly unlikely that small mammals and reptiles that serve as prey for these species can persist on the site and serve as a food source for nesting Swainson's hawks and white-tailed kites. This lack of prey is evidenced by the nearest documented occurrences of Swainson's hawk and white-tailed kite being over six and three miles, respectively, from the project site, in the western portion of the cities of Roseville and Lincoln where there is superior foraging and nesting habitat in the expansive grasslands and agricultural fields. Therefore, the potential for Swainson's hawks and white-tailed kites to use the site as foraging habitat is considered low.

With respect to burrowing owls, several small mammal burrows suitable for owl nesting or wintering were observed on the project site during the survey. Although no owls or sign of owls (i.e., whitewash, molted feathers, etc.) were observed during the survey, owls may utilize the project site for foraging and/or nesting.

Other special-status bird species known to occur in the region include the Modesto population of the song sparrow (*Melospiza melodia*), purple martin (*Progne subis*) and grasshopper sparrow (*Ammodramus savannarum*). The Modesto song sparrow is not expected to occur due to the site not being within the easternmost range boundary of the species. Purple martin is not expected to

occur on site as suitable nesting habitat (woodpecker holes, tree crevices, and manmade structures) does not occur on-site. There is some potential for this species to use the Roseville Galleria parking structures for nesting during the breeding season (March to August), and therefore could potentially use the project site for foraging (Purple martins are in-flight insect foragers) as foraging occurs in areas with aquatic insect hatches such as the South Branch of Pleasant Grove Creek. Construction of a bridge over the preserve area could provide better nesting habitat along the creek than currently exists for this species, as this species is known to nest in cavities under bridges and buildings, depending on design elements. There is potential for grasshopper sparrow to occur on the project site due to adequate suitable habitat consisting of low, sparse grassland areas for ground foraging and nesting that may occur between mowing/disking activities. However, larger areas of suitable habitat occurring in the native grasslands nearby may have greater potential for nesting and foraging for this species compared to the small size and disturbed nature of the project site.

None of these six bird species is a federally-listed threatened or endangered species. One is state-listed as threatened (Swainson's hawk), one is state fully protected (white-tailed kite), and the remaining four are California species of special concern. In addition, both common and special-status and native avian bird species are protected by the California Fish and Game Code and federal Migratory Bird Treaty Act. All of the trees and power poles on and surrounding the site were surveyed for raptor nests and other native bird nests during the field survey. No raptor nests or remnants of raptor nests were observed in any of the trees adjacent to the project site, and no other avian nests or nest remnants were observed on or immediately adjacent to the site. However, because the site survey was conducted during the non-nesting season, raptors and other bird species could potentially construct nests within trees and other vegetation adjacent to the site during the nesting season and, as discussed above, burrowing owls could potentially nest within the project site itself.

Wildlife Movement Corridors

A habitat corridor is defined as a linear habitat, embedded in a dissimilar matrix, that connects two or more larger blocks of habitat and that is proposed for conservation on the grounds that it will enhance or maintain the viability of specific wildlife populations in the habitat blocks (Beier and Noss 1998).Under this definition, the open space preserve adjacent to the project site does not provide a habitat corridor, as the creek (and eastern border of the open space preserve) originate approximately at SR 65, with urban development continuing beyond that. Rather, the preserve is likely used only for local movement of species between the site and the Highland Reserve South Open Space Preserve, which continues southwest of Roseville Parkway and totals approximately 135 acres. The area surrounding the preserve consists of an urban environment with busy roads and highways. Therefore, the preserve is more likely to support common species adapted to more urban environments. The open space preserve adjacent to the project site

provides habitat for tricolored blackbird and great blue heron; however, no suitable foraging, nesting or cover habitat exists for these species on the project site and they would likely be restricted to the preserve. The open space preserve also provides marginal habitat for western pond turtle, although the ephemeral nature of the creek creates undesirable foraging and nesting characteristics that would suggest a low potential for this species to occur.

Because the site is largely surrounded by urban development, it is not a part of a habitat corridor that could be used for regional movement of wildlife between two or more larger blocks of habitat. The South Branch of Pleasant Grove Creek runs approximately 75 feet to the southeast of the project boundary. The Roseville Galleria parking lot is located just beyond the creek to the south, approximately 100 feet from the creek bed.

Wetlands

The project site was surveyed for wetlands based on the criteria of the following agencies:

- Waters of the U.S., including wetlands, under the jurisdiction of the U.S. Army Corps of Engineers (ACOE) pursuant to Section 404 of the federal Clean Water Act.
- Wetlands under the jurisdiction of the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the Clean Water Act and the Porter-Cologne Act.
- Wetlands under the jurisdiction of California Department of Fish and Wildlife (CDFW), pursuant to Section 1602 of the California Fish and Game Code.

A previous Clean Water Act Nationwide Permit 26 authorized fill of then existing jurisdictional seasonal wetlands and vernal pools on the project site in July 1989. The wetlands were filled and mitigated at the 135-acre Highland Reserve South preserve in Roseville (deed restricted and subject to an operations and management plan), and the property has since been regularly mowed and disked to prevent wetlands from reestablishing. No evidence of jurisdictional wetlands, waters of the U.S., or areas under the jurisdiction of the RWQCB or CDFW were identified on the project site during the 2013 onsite survey. Specifically, no signs of persistent hydrology, hydrophytic vegetation, or hydric soils are present on the site. Consequently, no further studies are needed to assess the potential presence of jurisdictional wetlands or waters of the U.S. for this site.

The property immediately southeast of the site contains the South Branch of Pleasant Grove Creek and associated seasonal wetlands that are within an endowed preserve. While no direct impacts are planned in the preserve area, a bridge is proposed to span the preserve to provide access to and from the adjacent Roseville Galleria retail center.

4.2.3 Regulatory Setting

Federal Regulations

Federal Endangered Species Act

Projects that would result in impacts to federally-listed threatened or endangered species are required to comply with the federal Endangered Species Act, which is administered by the USFWS.

Clean Water Act

The objective of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of waters of the United States. Section 401 prohibits the discharge of any pollutant into waters of the United States without certification that the discharge would not violate applicable water quality standards, and Section 402 establishes the National Pollutant Discharge Elimination System (NPDES) permit program, which regulates "point sources" of water pollution. Section 404 of the Act requires a U.S. Army Corps of Engineers (ACOE) permit for discharges of dredged or fill materials into waters of the United States (as defined in the Code of Federal Regulations (33 CFR 328.3 [a]; 40 CFR 230.3 [s]). Section 404 of the CWA is administered by ACOE.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.) regulates and prohibits taking, killing, possession of, or harm to migratory bird species listed in 50 CFR 10.13. This international treaty for the conservation and management of bird species that migrate through more than one country is enforced in the United States by the USFWS. Additionally, as discussed under the heading Nesting Birds, Raptors, and Migratory Birds, Section 3513 of the California Fish and Game Code states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. This state statute provides the CDFW with enforcement authority for project-related impacts that would result in the 'take' of bird species protected under the MBTA. The MBTA was amended in 1972 to include protection for migratory birds-of-prey (raptors).

State Regulations

California Endangered Species Act

The California Endangered Species Act (CESA), established under California Fish and Game Code Section 2050 et seq., identifies measures to ensure that endangered species and their habitats are conserved, protected, restored, and enhanced. The CESA restricts the "take" of plant

and wildlife species listed by the state as endangered or threatened, as well as candidates for listing. Section 86 of the Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Under Section 2081(b) of the Fish and Game Code, CDFW has the authority to issue permits for incidental take for otherwise lawful activities. Under this section, CDFW may authorize incidental take, but the impacts of the take must be minimized and fully mitigated. CDFW cannot issue permits for projects that would jeopardize the continued existence of state-listed species. CDFW maintains lists for Candidate-Endangered Species and Candidate-Threatened Species. Candidate species and listed species are given equal protection under the law.

California Fish and Game Code

Nesting Birds, Raptors, and Migratory Birds

California Fish and Game Code Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Fish and Game Code Section 3503.5 protects all birds-of-prey (raptors) and their eggs and nests, while Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act. These regulations could require that vegetation removal or construction near nest trees be reduced or eliminated during critical periods of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by the CDFW and/or the USFWS.

Fully Protected Species

California Fish and Game Code Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) designate certain species as "fully protected." Fully protected species, or parts thereof, may not be taken or possessed at any time except as part of an approved Natural Community Conservation Plan that treats such species as "covered species" or in connection with statutory-specified actions pursuant to the "Quantification Settlement Agreement" involving water transfer from the Imperial Irrigation District to the Metropolitan Water District of Southern California.

Sections 1600–1607 of the Fish and Game Code

Under Section 1600–1607 of the California Fish and Game Code, CDFW regulates activities that would substantially alter the flow, bed, channel, or bank of streams and lakes. The lateral limits of CDFW's jurisdiction are defined in the statute as the bed, channel, or bank of any river, stream, or lake designated by CDFW in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit. In practice, CDFW usually determines its

lateral limit of jurisdiction to be the top of bank or the outer edge of the riparian vegetation, whichever is farther from the middle of the water body in question.

State Water Resources Control Board

Section 401 of the CWA requires that an applicant for a Section 404 permit first obtain a certification, or a waiver thereof, that the project will not violate applicable state water quality standards. In California, the authority to either grant certification or waive the requirement for certification has been delegated by the SWRCB to the nine regional boards, including, in the Roseville area, the Central Valley Regional Water Quality Control Board (CVRWQCB). A request for certification or waiver is typically provided, but not required to be submitted to the regional board at the same time that the Section 404 application is filed with the ACOE. The regional board has 60 days from receipt of a complete application to review and take action on the application. Because no ACOE permit is valid under the CWA unless "certified" by the state, the regional boards may effectively prevent any ACOE permit from becoming operational.

Additionally, implementation of the SWRCB NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities ("General Permit") would reduce impacts associated with erosion and runoff from construction sites. For a construction project that would disturb one or more acres of land, the "discharger" must obtain coverage under the General Permit. In order to obtain coverage under the General Permit, the discharger must undertake a risk assessment, develop a Storm Water Pollution Prevention Plan (SWPPP), implement Best Management Practices (BMPs) in accordance with the SWPPP, and comply with monitoring and reporting requirements and other management practices to prevent or reduce pollution.

Local Regulations

Proposed Placer County Conservation Plan

For the past several years, Placer County has been working with regulatory agencies and stakeholders to prepare a natural community conservation plan and habitat conservation plan (NCCP/HCP) to address the conservation of natural communities, endangered species, and other less sensitive species of native wildlife that could be affected by actions in the County and other participating agencies such as the Placer County Water Agency and the City of Lincoln. As part of the process, the County intends to apply for a CWA Section 404 Programmatic General Permit, CDFW Master Streambed Alteration Agreement, and CWA Section 401 Water Quality Certification. Collectively, the NCCP/HCP, the requested permits, and the Water Quality Certification application have been termed the Placer County Conservation Plan (PCCP). At this time, the County is focusing on Phase 1, which addresses lands within western Placer County (lands west of Auburn to the western county line). Listed species that are presumed to be covered

by such a plan include but are not limited to: Swainson's hawk, vernal pool fairy shrimp, vernal pool tadpole shrimp, and several listed fish species. The City of Roseville is currently not participating in the PCCP.

Placer Legacy Open Space and Agricultural Conservation Program

The Placer Legacy program, in conjunction with resource agencies and local stakeholders, is intended to protect and conserve open space and agricultural lands in Placer County. A key element of the program is to enable the County to make itself a willing buyer to persons wishing to sell interest in lands having value for conservation purposes.

City of Roseville Design and Construction Standards

Implementation of Section 111 of the City's Construction Standards would reduce impacts associated with erosion and runoff from construction sites containing soil or other materials that could degrade water quality if discharged to local streams and changes in surface water or groundwater quality from stormwater runoff by requiring the development of an erosion control plan. The erosion control plan would include a description of the site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment, erosion control measures, maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls.

City of Roseville General Plan

The *City of Roseville General Plan 2025* establishes goals and policies for the preservation of the value of biological resources in the community (City of Roseville 2013). These policies are specific to vegetation and wildlife. However, other policies intended to preserve water quality, air quality, and other features also benefit and protect biological resources. The goals and policies for the preservation of biological resources in the community applicable to the proposed project are listed below.

Goal 1 Preserve, protect and enhance a significant system of interconnected natural habitat areas, including creek and riparian corridors, oak woodlands, wetlands, and adjacent grassland areas.

Goal 3 Protect special status species and other species that are sensitive to human activities.

Policy 1 Incorporate existing trees into development projects, and where preservation is not feasible, continue to require mitigation for the loss of removed trees. Particular emphasis shall be placed on avoiding the removal of groupings or groves of trees.

Policy 2 Preserve and rehabilitate continuous riparian corridors and adjacent habitat along the City's creeks and waterways.

Policy 4 Require preservation of contiguous areas in excess of the 100-year flood plain as merited by special resources or circumstances. Special circumstances may include but are not limited to, sensitive wildlife or vegetation, wetland habitat, oak woodland areas, grassland connections in association with other habitat areas, slope or topographical considerations, recreation opportunities, and maintenance access requirements.

City of Roseville Open Space Preserve Overarching Management Plan

In August 2011, the U.S. Army Corps of Engineers and U.S. Fish and Wildlife approved the City of Roseville Open Space Preserve Overarching Management Plan (OSPOMP), which provides a city-wide approach and specific goals to open space management, maintenance and monitoring. The South Branch of Pleasant Grove Creek is adjacent to the southern portion of the site and part of the Highland Reserve South Open Space, designated by the City of Roseville. This designation affords the creek a higher level of protection, usually with a conservation easement or deed restriction. The creek area itself is categorized in the Vernal Pool Grassland management unit, generally identified as having diverse flora and fauna.

The project has been designed consistent with the OSPOMP and includes a 20-foot setback from the creek and provides a connection for the proposed bike trail.

North Central Roseville Specific Plan

Section 6, Resources Management Element of the NCRSP contains policies that address vernal pools and other wetlands and oak woodlands. None of these resources exist on the project site; therefore, the specific plan policies do not apply to this project. There are no general biological resource policies contained within the NCRSP that would apply to the project. However, policies pertaining to soil erosion and sedimentation are applicable to the project and included below along with a relevant policy that addresses development in areas designated Business-Professional.

5.8.3 Bikeways and Pedestrian Paths

6. Pathways adjacent to wetland preserves shall be places so as not to interfere with the natural hydrology of the wetland areas. Pathways should be located near the south or west edge of drainageways when possible so that landscaping from adjacent uses may provide intermittent shading. Connections across the watershed corridors shall be designed into the system.

Specific design of the system may be subject to the provisions of the Corps of Engineers 404 permit.

6.3.1 Soil Protection Policies

1. All development plans submitted for City review and approval shall provide an erosion and sediment control plan. Specific erosion control measures shall be adopted for all development plans to protect area waterways from erosion and debris during construction. Such measures shall include, but not necessarily be limited to, seeding of graded areas, watering during grading activities to reduce wind erosion, and the use of hay bales and filter cloth to prevent siltation of stream courses.

5. Grading shall minimize disruption to existing natural features such as trees and other vegetation, natural ground forms, water courses, and views.

6.4.1 Water Quality Policies

1. All development plans submitted for City review and approval shall provide an erosion and sediment control plan as specified in Section 6.3.1 of this element.

4. Sediment traps, evaporation basins, flow reduction devices, and other methods to reduce the volume of pollutants in parking area and street surface run-off shall be installed in the storm drain system in accordance with City standards. Best Management Policies (BMP) shall be utilized where feasible, as determined by the City.

   b. 7. Construction of stream crossings or other improvements in Antelope creek or lower watershed areas shall be kept to the absolute minimum necessary to provide reasonable access to developed areas west and east of Antelope Creek or lower watershed. Department of Fish and Game Stream Alteration Agreements will be obtained prior to commencement of any such construction of any such proposed stream crossings in the North Central Roseville Specific Plan Area. All conditions of compliance set forth in these agreements will be strictly enforced as part of the mitigation monitoring program. In addition the following policies shall apply:Construction access roads across creek or watershed areas shall be kept to the absolute minimum necessary to accommodate construction activity. No heavy construction equipment shall be allowed in a live stream.

h. Areas adjacent to the finished improvements in Antelope Creek or lower watershed areas which were disturbed during construction will be hydroseeded and revegetated to reduce erosion potential. All disturbed areas that are not actively being developed shall be planted, mulched or otherwise protected by an acceptable means for the duration of the winter. In no case shall disturbed areas be left exposed between October 15 and March 15.

j. The City and the project engineer shall strategically lay out the construction programs and schedules so as to minimize the disturbed areas that must remain through the winter season. (October 15 through March 15)

   Prewinterizing (on-site) meetings shall be scheduled in early September to ensure that all contractors and parties understand their responsibilities concerning preparing sites for the winter season. Any new potential erosion problems will be identified at that time.

   As a follow-up to the prewinterizing meetings, a specific schedule of inspection and maintenance of construction sites shall be identified by the City to ensure erosion control measures are operative through the winter period. A copy of this schedule shall be forwarded to the Department of Fish and Game for the file on the project.

k. Construction roads shall have water bars and culverts if they are required to remain through the winter season.

l. Design all stream crossings to permit movement of wildlife beneath them.

m. Design all stream crossings for 100-year event.

n. Design stream crossings such that approaches are as close to a right angle as possible, and utilize bridges when feasible.

o. Any stream work and construction activity within the identified wetland areas may require additional measures or restrictions as determined by Department of Fish and Game and/ or the City of Roseville.

10. The Public Works Department shall approve all drainage facility designs prior to the approval of individual projects.

12. A water quality monitoring program should be established by the City to assess the long term effectiveness of proposed pollution control measures.

Additionally, under Section 3.9 Business-Professional Land Uses, the following guideline states;

11. Business-professional development should utilize open space, including watersheds and parks, as a visual amenity where feasible. A minimum twenty foot (20') setback shall be provided from the edge of the open space area Such setbacks shall be landscaped and may include berms and swales to create a boundary and control drainage. Landscaping within the setback area shall be designed such that trees, when mature, may provide intermittent shade over the adjacent bikeway. Fencing adjacent to open space is discouraged. When necessary, such fencing should be an· open type which allows a view to the open space area. Pedestrian connections to the open space areas and pathway systems shall be made by the developer to facilitate pedestrian access. In general, architectural treatment and materials for the building frontage visible from the open space areas shall be the same as used on the building frontage visible from public streets. All delivery and storage areas shall be screened.

4.2.4 Impacts

Methods of Analysis

Dudek conducted a biological survey in November 2013 for the vacant 11-acre property; a copy of the report is included in Appendix D of this Draft EIR. The purpose of the survey was to identify and characterize the biological communities present on and immediately adjacent to the project site, to record plant and animal species observed on the site, and to evaluate the site for its potential to support sensitive biological resources. Potential sensitive biological resources include special-status plant and animal species and any other resources considered sensitive by local, state, and/or federal resource agencies that could potentially be impacted by development of the project site.

The biological survey included a query of the CNDDB as well as a field survey. The CNDDB was queried for any reported occurrences of special-status species in Placer County's lower elevations (100–400 feet amsl). Prior to the field survey, a review of soils reports, aerial photos, and online resources also contributed to development of the list of special-status species with the potential to occur on site. A USFWS list for the lower elevations of Placer County was also queried to ensure complete consideration of special-status species with the potential to occur. A results summary of the CNDDB records search and the USFWS species list for Placer County is included in Appendix D.

Thresholds of Significance

Consistent with Section 15065 (Mandatory Findings of Significance) and Appendix G (sample Initial Study checklist) of the CEQA Guidelines, the City's General Plan, and professional

judgment, a significant impact is assumed to occur if development of the proposed project would do any of the following:

- Have a substantial adverse effect, either directly through habitat modifications or indirectly, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies or regulations, or by CDFW or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- Have a substantial adverse effect on wetlands protected under Section 404 of the Clean Water Act or the Porter-Cologne Water Quality Control Act through direct removal, filling, hydrological modification, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Substantially reduce the habitat of a fish or wildlife species*;*
- Cause a fish or wildlife population to drop below self-sustaining levels*;*
- Threaten to eliminate a plant or animal community*;*
- Substantially reduce the number or restrict the range of an endangered, rare or threatened species*;*
- Conflict with any local polices or ordinance protecting biological resources such as a tree preservation ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

As evaluated in the Initial Study prepared for the proposed project, included in Appendix B of this Draft EIR, the project would have no impact with respect to conflicting with provisions of an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan. There are no plans applicable to the project site; therefore this issue is not further analyzed in this Draft EIR.

The following discusses the potential direct and indirect impacts on biological resources as a result of the proposed project and the determination of significance in consideration of the thresholds listed above.

Impact 4.3 -1	Substantial Adverse Effect on Species Identified as a Candidate, Sensitive, or Special-Status or Substantially Reduce the Habitat of a Fish or Wildlife Species, or Substantially Reduce the Number or Restrict the Range of an Endangered, Rare or Threatened Species
Applicable Policies and Regulations	Federal Endangered Species Act Migratory Bird Treaty Act California Endangered Species Act California Fish and Game Code City of Roseville General Plan Open Space and Conservation Element
Significance with Policies and Regulations	Potentially significant
Mitigation Measures	Mitigation Measure 4.2-1
Significance after Mitigation	Less than significant

The analysis of effects, both direct and indirect, to plant and wildlife species identified as a candidate, sensitive, or special-status species includes the potential of the project to result in a substantial reduction in habitat, a substantial reduction in number or range, a reduction in population below self-sustaining levels, or elimination of a community of a candidate, sensitive, or special status species (per Section 15065(a) of the CEQA Guidelines). No special-status plant species or their habitats were observed during the biological survey conducted for the project site in November 2013. As discussed earlier in the Environmental Setting, eleven special-status plant species are known to occur in the lower elevations of Placer County. Although there are occurrences of many of these species within five miles of the project site, all eleven of these native species require specific habitats (e.g., perennial marsh, vernal pools, etc.) and soil types (e.g., gabbro soils) to persist that are not present on the project site. In addition, because of its disturbed nature, the previously authorized fill of seasonal wetland and vernal pool habitat, and the active maintenance activities (disking, mowing, etc.) that are ongoing on the site, no special-status plant species or their habitats are expected to occur on the site and none was observed during the field survey. The biological survey concluded that, because the project site does not support habitat suitable for special-status plant species, no further measures or surveys would be necessary. Impacts to special-status plant species would be **less than significant.**

As indicated in the Environmental Setting, 23 special-status animal species are known to occur in the lower elevations of Placer County. However, 16 species were determined to not occur on the project site due to the lack of specialized emergent wetland habitat types. Of the remaining seven special-status animal species with potential to occur in the project area, most are not expected to occur due to the disturbed and urbanized nature of the site. As previously discussed, Townsend's big-eared bat is not expected to occur on site due to the absence of man-made structures and caves necessary for roosting. The construction of the bridge over the preserve could provide potential habitat depending on exact design specifications.

Of the remaining special-status animal species known to occur in the region, three are special-status raptors and include Swainson's hawk, white-tailed kite, and burrowing owl; the remaining are passerine bird species and include the Modesto population of the song sparrow, purple martin, and grasshopper sparrow.

As noted in the Environmental Setting, there is a low probability that any of these species would use the site for foraging and/or nesting due to the disturbed nature of the site as a result of ongoing management (disking and mowing) and general lack of nest habitat. While the large trees that border the open space preserve and SR 65 adjacent to the project site represent suitable nesting habitat for Swainson's hawk and white-tailed kite, the site's isolation from other native habitat areas, relatively small size, and highly disturbed nature result in a low potential for these species to regularly and successfully utilize the project site for foraging. No nests of these species were observed during surveys conducted of the trees adjacent to the project site. Because the surveys were conducted in November (outside the nesting season), however, it is possible that new nests could be constructed during future nesting seasons.

The site is outside the known range of the Modesto song sparrow and no preferred nest habitat for purple martin exists on the site. As previously noted, there is some potential for the grasshopper sparrow and burrowing owl to use the site though this potential is considered quite low given the disturbed and urbanized nature of the site.

If project construction should occur during the bird nesting season (March through August), the loss of any active nests of burrowing owl and grasshopper sparrow, or the loss of the site as foraging habitat should an active nest of Swainson's hawk or white-tailed kite be established in the trees adjacent to the site, would be considered a **potentially significant impact.** In addition, while the potential for common ground-nesting species to occur on the site is also considered low due to the disturbed nature of the site, common ground nesting species protected by the California Fish and Game Code and Migratory Bird Treaty Act could also be disturbed. The NCRSP EIR included Mitigation Measure 3.4-34 that required a raptor nest survey be conducted before construction activities. This mitigation is not adequate under CEQA and does not meet current legal requirements; therefore, it has been replaced with Mitigation Measure 4.3-2.

Impact 4.3-2	Substantial Adverse Effect on Riparian Habitat, Sensitive Natural Community, Wetlands
Applicable Policies and Regulations	NPDES Requirements General Plan Open Space and Conservation Element Clean Water Act Fish and Game Code of California
Significance with Policies and Regulations	Potentially significant
Mitigation Measures	Mitigation Measure 4.3-2
Significance after Mitigation	Less than significant

As discussed in the Environmental Setting section, a Clean Water Act Nationwide Permit 26 authorized fill of previous existing seasonal wetlands and vernal pools on the project site in July 1989. The wetlands were filled and mitigated within the same watershed at the deed restricted 135-acre Highland Reserve South preserve, and the property has been mowed and disked since then to prevent wetlands from reestablishing. An erosion control seed mix has also been planted to avoid reestablishment of wetlands. The project site is currently dominated by non-native grassland habitat and contains little native vegetation. No evidence of jurisdictional wetlands, waters of the U.S., or areas under the jurisdiction of the RWQCB or CDFW were identified on the project site during the site survey. Figure 4.3-1, Wetland Assessment, shows the approximate distribution of jurisdictional wetlands in the study area. As indicated, the jurisdictional waters in this area are off site, located along the South Branch of Pleasant Grove Creek in an endowed City of Roseville open space corridor (Highland Reserve Open Space Preserve).

As previously discussed, the project is proposing to construct a bridge across the South Branch Pleasant Grove Creek and associated seasonal wetlands. The South Branch of Pleasant Grove Creek is an intermittent seasonal creek dominated by the following wetland plant species: sandbar willow (*Salix exigua*), cattail (*Typha latifolia*), curly dock (*Rumex crispus*), sedges (*Carex* sp.) and nutsedge (*Cyperus* sp.). The proposed bridge would be located between two outfalls presumably originating from the adjacent Galleria parking lot. The proposed bridge would generally consist of a 150-foot long by 35-foot wide steel structure. The bridge would be designed to clear-span the adjacent drainage/open space preserve as a lightweight steel structure with a cast-in-place deck or precast planking with a topping layer of concrete. The bridge would be approximately eight feet in depth with concrete abutments at each end. The bridge would be designed for two single lanes of vehicle traffic, as well as sidewalks on both sides and lighting.

A preliminary wetland assessment conducted on February 21, 2014, in the vicinity of the proposed bridge crossing determined that the bridge would cross the creek where the jurisdictional boundary is the narrowest along the creek, approximately ten to fifteen feet in width; dense willow thickets occur just upstream and downstream of the two outfalls. The banks on either side are dominated by nonnative grasses and ruderal weedy species that would not result in loss of high quality biological functions. There are no vernal pools or seasonal wetlands present in the area of the proposed bridge crossing. Consequently, it appears that the proposed bridge would avoid direct impacts to jurisdictional wetlands and riparian habitat associated with the creek. However, a formal wetland jurisdictional delineation would need to be conducted prior to construction of the bridge to confirm the bridge and all associated temporary and permanent construction activities would avoid ACOE and CDFW jurisdiction and would not require associated permits for impacts to jurisdictional habitats. The NCRSP includes policies that address erosion and sedimentation to reduce potential impacts to waterways, which would be considered a potential indirect impact of construction of the bridge. Compliance with Section

111 of the City's Construction Standards would also reduce impacts associated with erosion and runoff from construction sites containing soil or other materials that could degrade water quality if discharged to local streams by requiring the development of an erosion control plan. The erosion control plan would include a description of the site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment, erosion control measures, maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls. Compliance with City requirements would ensure indirect impacts to water quality associated with erosion and sedimentation would be less than significant.

The NCRSP EIR included mitigation to address loss of verbal pools and protected vernal pool species (Mitigation Measures 3.4-21, seasonal wetlands (Mitigation Measure 3.4-19), oak woodlands (Mitigation Measures 3.4-3 through 3.4-5), riparian vegetation (Mitigation Measures 3.4-6 through 3.4-9), and disturbance to Antelope Creek and fish species in the creek (Mitigation Measures 3.4-11 through 3.4-18). None of these mitigation measures would be required for this project because none of these species/resources are affected by project construction and operation.

Additionally, indirect impacts associated with construction activities on biological resources such as native nesting birds in the riparian habitat could be **potentially significant**, depending on the timing of these activities.

Impact 4.3-3	Interfere Substantially with Wildlife Movement or Native Wildlife Nursery Sites
Applicable Policies and Regulations	Federal Endangered Species Act California Fish and Game Code
Significance with Policies and Regulations	Less than significant
Mitigation Measures	None required
Significance after Mitigation	Less than significant

The project site is not part of a regional wildlife corridor and is not directly connected to any larger area of contiguous habitat, as the site is surrounded by urban development. However, the Highland Reserve Open Space Preserve is located immediately adjacent to the project site and includes the South Branch Pleasant of Grove Creek, which runs approximately 75 feet to the southeast of the project boundary. While this area offers breeding and nesting habitat for native avian species, as well as cover and foraging habitat for common urban species, however, the stopover habitat is marginal and migrating terrestrial species are unlikely to regularly use the project site with other higher quality riparian, oak woodland, and aquatic habitats to the southwest in the Open Space Preserve. Since the creek originates approximately at Highway 65 and is mostly due to run-off from the urban areas surrounding the project site, the site is not part of a habitat corridor that connects two larger areas of protected habitat. Accordingly, the bridge would not impede use of the

DUDEK

7990

SOURCE: ESRI 2014

FIGURE 4.3-1

Wetland Assessment*

ROSEVILLE HOTEL AND CONFERENCE CENTER PROJECT

*NOT A JURISDICTIONAL DETERMINATION

Path: Z:\Projects\7990\01\MAP\DOC\MAP\SEIR\Fig4_3_1_WetlandAssessment.mxd

INTENTIONALLY LEFT BLANK

creek by local wildlife. Due to the location, disturbed condition of the site, and lack of habitat on the project site, the likelihood it is used as a native nursery site is very low.

Based on the information listed above, the proposed project would have a **less-than-significant impact** on the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Impact 4.3-4	Conflict with any Local Polices or Ordinances Protecting Biological Resources
Applicable Policies and Regulations	City of Roseville Municipal Code City of Roseville General Plan Open Space and Conservation Element City of Roseville Open Space Preserve Overarching Management Plan
Significance with Policies and Regulations	Less than significant
Mitigation Measures	None required
Significance after Mitigation	Less than significant

The *City of Roseville General Plan 2025* establishes goals and policies for the preservation of the value of biological resources in the community (City of Roseville 2013). Goal 1 indicates the need to preserve, protect and enhance a significant system of interconnected natural habitat areas, including creek and riparian corridors, oak woodlands, wetlands, and adjacent grassland areas. Goal 3 is designed to protect special-status species and other species that are sensitive to human activities. The site is not representative of valuable habitat of any of the types listed in Goal 1. The site is highly disturbed, contains mostly non-native vegetation and is lacking trees. It is regularly disked and many natural features such as trees, water and/or cover features necessary for special-status and other sensitive species are absent.

Policies 1, 2 and 4 convey the need to incorporate existing trees into development projects and where preservation is not feasible, continue to require mitigation for the loss of any trees, to preserve and rehabilitate continuous riparian corridors and adjacent habitat along creeks and waterways, and to require preservation of contiguous areas in excess of the 100-year flood plain as merited by special resources or circumstances. The proposed project does not incorporate preservation of trees into the plan as there are no trees on the site, although the plan does propose planting new trees. The project would not have an adverse impact on the adjacent open space preserve and aims to protect the creek and surrounding habitat. No special resources are known to occur on the project site at this time. The project site does not contain valuable habitat for special-status wildlife and only contains marginal habitat for urban wildlife. The loss of this site does not conflict with any City goals or policies as stated in the General Plan.

The NCRSP does not include any general policies that would pertain to the resources present on the site. However, policy 6 in the Circulation Element requires that any pathways (including bike

ways) adjacent to watershed preserves need to be designed to not interfere with the natural hydrology. The proposed multi-use path and bridge over a branch of Pleasant Grove Creek have been designed to not interfere with the hydrology of the creek and the multi-use path has been designed with a 20-foot setback from the creek, per the OSPOMP.

The City's OSPOMP provides a city-wide approach and specific goals to open space management, maintenance and monitoring. The OSPOMP references the need to include a 20-foot setback from the creek as well as a bridge/multi-use trail that crosses over the creek to access the adjacent Roseville Galleria shopping center. The South Branch of Pleasant Grove Creek is adjacent to the southeastern portion of the project site and is part of the Highland Reserve South Open Space, designated by the City of Roseville. This designation recognizes the creek as an asset to the City and the creek area itself is categorized in the Vernal Pool Grassland management unit, generally identified as having diverse flora and fauna.

The Hotel and Conference Center project has been designed to be consistent with the OSPOMP and includes a 20-foot setback from the creek and provides a connection for the proposed bike trail, as shown in Figure 2-3 in Chapter 2, Project Description. The project also does not affect any sensitive species or their habitat, consistent with the goals and policies contained in the City's General Plan.

Chapter 19.66 (Tree Preservation) of Article IV (Special Area and Special Use Requirements) of Title 19 (Zoning) in the Roseville Municipal Code includes regulations controlling the removal and preservation of oak trees within the City of Roseville. A Protected Tree is defined in the Roseville Municipal Code as a native oak tree equal to or greater than 6 inches dbh measured as a total of a single trunk or multiple trunks. The project site supports a disturbed, ruderal community of grasses and weed species; there are no trees or, specifically, native oak trees greater than 6 inches in diameter on the site. No trees exist in the general location of the proposed bridge either. There is a patch of willow shrubs just east of the proposed bridge location and a few conifers just west of the proposed bridge location. None of these trees would be protected tree species under the City's Tree Preservation ordinance. Using current information about the location of the bridge, no trees would be impacted by construction of the bridge. At the border of the Roseville Galleria parking lot and the open space preserve, there are 2-3 non-native landscape trees that would likely need to be removed. Therefore, the proposed project would not conflict with any policies contained in the City's General Plan or Municipal Code protecting biological resources and the impact is **less than significant.**

4.3.5 Cumulative Impacts

The geographical cumulative context for the evaluation of cumulative impacts on biological resources includes western Placer County and eastern Sacramento County. Regional development,

including development in western Placer County and the City of Roseville which includes buildout of the City's General Plan and approved development in western Placer County.

Impact 4.3-5	Contribute to a Cumulative Impact on Biological Resources
Applicable Policies and Regulations	City of Roseville General Plan Open Space and Conservation Element California Fish and Game Code
Significance with Policies and Regulations	Less than significant
Mitigation Measures	None required
Significance after Mitigation	Less than significant

Over the past few decades, tens of thousands of acres of grasslands have been developed or designated for development in western Placer County, including the City of Roseville. Development has occurred in and around the cities of Roseville, Lincoln, and Rocklin. Development has also occurred further south in the grasslands of Sacramento County. Future development within these areas would result in the further decline of native plant communities including vernal pool habitat. The proximity of urban development also would contribute to the distribution of non-native plant and wildlife species, which would further degrade the habitat and available niches for native species in the surrounding region. In short, cumulative biological resources within the relevant geographic area are significant.

Construction and implementation of the proposed project would contribute to the urbanization of the City of Roseville, consistent with the City's General Plan and the North Central Roseville Specific Plan that previously addressed the conversion of this site to urban uses. As discussed above, however, the project site, having been graded and disked for approximately 25 years, does not contain any special-status habitat or protected resources that would be lost with implementation of the project. In addition, mitigation requiring pre-construction surveys (Mitigation Measure 4.2-1) would be imposed which would reduce the project's contribution to loss of nesting birds. Therefore, the project's contribution to this significant regional cumulative impact is not considerable and is **less than significant**.

4.3.6 Mitigation Measures

To address Impact 4.3-1, if project construction occurs during the breeding season (March through August), Mitigation Measure 4.3-1 requires that a qualified ornithologist shall conduct a preconstruction survey of the work area to determine if any native birds, including raptors, are nesting in or in the vicinity of vegetation to be removed. If active nests are found in the work area, Mitigation Measure 4.3-1 would require that a biologist determine an appropriately sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. Mitigation Measure 4.3-1 is proposed to replace NCRSP EIR

Mitigation Measure 3.4-34. This would reduce the project-level impact to a **less-than-significant level.**

4.3-1 **Preconstruction Survey**. If project construction work is required to be scheduled during the breeding season (March through August), a qualified biologist shall conduct a preconstruction survey of the work area to determine if any ground-nesting native birds, including burrowing owls, are nesting in or in the immediate vicinity of vegetation to be removed. In addition, all trees adjacent to the site and/or associated with Pleasant Grove Creek and the preserve area between Highway 65 and Roseville Parkway shall be surveyed to confirm no Swainson's hawk or white-tailed kite nests have been established since the time of the 2013 survey; pre-construction surveys shall follow accepted survey protocols for the presence or absence of these species. The purpose of the surveys will be to determine if active nests of special-status or other protected birds are present in the disturbance zone or within 500 feet of the disturbance zone boundary (within 0.25 mile for Swainson's hawks). The preconstruction survey will be conducted within 15 days prior to the start of work from March through May (since there is higher potential for birds to initiate nesting during this period), and within 30 days prior to the start of work from June through August. If active nests are found in the work area, the California Department of Fish and Wildlife typically recommends 300-foot buffers around active nests of songbirds and 500 feet or more for raptors. However, the tolerance of birds with respect to activities and noise around active nests can vary depending upon the species, the type and extent of disturbance activity, intervening topography and vegetation, and other factors. Consequently, if active nests are found in the work area, the biologist shall evaluate these factors with respect to onsite conditions and determine if smaller buffers would be appropriate. If Swainson's hawks are determined to be nesting adjacent to the site and construction activities could result in a "take" of one or more hawks within the meaning of the California Endangered Species Act, consultation with the California Department of Fish and Wildlife may also be necessary.

The following shall be required when performing surveys: Surveys shall be performed by a qualified biologist familiar with the target bird species and their habitat(s). Presence or absence of Swainson's hawk shall be determined pursuant to the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee, 2000 May 31). Burrowing owl surveys shall be conducted at least three times per week from May 1 to September 30 during the breeding season, pursuant to the 2012 CDFW Staff Report.

Surveys for other raptors, including white-tailed kite, shall include walking "wandering" transects throughout the project area and include an "Active Nest Search" component. This shall include a thorough search of all trees, power poles and standing snags for active nests in the proposed disturbance area, while also noting any incidental raptor sightings. Surveys shall not be conducted during periods of excessive or abnormal cold, heat, wind, rain, or other inclement weather that individually or collectively reduces the likelihood of detection. If any large stick nests are discovered, it will be determined whether they are actively being used or not. The following behaviors are indicators that an active nest may be present: (1) Carrying material to build nests within the survey area; (2) Copulations; (3) Carrying food or feeding young; (4) Carrying fecal sacks away from nest; (5) Mate-feeding (repeated "bee-line" flying to likely nest site); (6) Observation of nest; (7) Observation of chicks; (8) Females giving call or chip notes alerting their mate that they are off the nest; and (9) Auditory evidence of chicks.

To address Impact 4.3-2 and the potential for birds to be in the vicinity of the proposed bridge during construction, Mitigation Measure 4.3-1 requires that a qualified ornithologist shall conduct a preconstruction survey of the work area to determine if any native birds are nesting in or in the vicinity of vegetation to be removed, which would include vegetation along the creek. If active nests are found in the work area, Mitigation Measure 4.3-1 would require that a biologist determine an appropriately sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. This would reduce the project-level impact to a **less-than-significant level.**

4.3-2 Implement Mitigation Measure 4.3-1.

4.3.7 Sources

Beier, P and R. F. Noss. 1998. Do habitat corridors really provide connectivity? Conservation Biology 12:1241-1252

California Department of Fish and Game. 2012. *Staff Report on Burrowing Owl Mitigation.* March 7.

City of Roseville. 1989. *North Central Roseville Specific Plan Draft Environmental Impact Report*. Prepared by R.C. Fuller Associates and EIP Associates. July 1989.

City of Roseville. 1990. *North Central Roseville Specific Plan*. Adopted July 5, 1990. Last amended October 21, 2009. http://www.roseville.ca.us/planning/planning_document_library/specific_plans/n_central_roseville.asp.

City of Roseville. 2011. *City of Roseville Open Space Preserve Overarching Management Plan.* Adopted August 5, 2011. http://www.roseville.ca.us/planning/planning_document_library/planning_documents.asp

City of Roseville. 2013. *City of Roseville General Plan 2025*. As amended February 13, 2013. Roseville, California: City of Roseville Planning Department. Adopted May 5, 2010 (Resolution No. 10-161). http://www.roseville.ca.us/civicax/ filebank/ blobdload.aspx?blobid=2546.

Dudek. 2014. *Biological Survey Report for the Roseville Hotel and Conference Center.* As amended February 24, 2014.

Swainson's Hawk Technical Advisory Committee. 2000. *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley.* May 30.